



Appeal Decision

Site visit made on 28 November 2017

by R A Exton Dip URP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th December 2017

Appeal Ref: APP/Y2620/W/17/3181634

Hall Farm House, Black Horse Road, Skepton NR10 5DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rob Morton against the decision of North Norfolk District Council.
 - The application Ref PF/17/0083, dated 18 January 2017, was refused by notice dated 16 March 2017.
 - The development proposed is described as change of use of land for the siting of 2 No. shepherd's huts for tourism accommodation with associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site represents a suitable location for tourist accommodation having regard to the development plan and the National Planning Policy Framework.

Reasons

3. The appeal site lies within the countryside, as designated in the North Norfolk Core Strategy adopted in 2008 ('the Core Strategy'). Whilst Policy SS2 of the Core Strategy allows for tourism development within the countryside, the different ways by which this may be delivered are set out in Policies EC1, EC7 and EC10 of the Core Strategy. In order to succeed, a proposal must therefore satisfy the relevant parts of these policies.
4. The appellant considers the Core Strategy out-of date, partly due to its adoption before the National Planning Policy Framework ('the Framework') and also reference to revoked government guidance. These matters alone do not render the Core Strategy out of date, its content must also be considered. Paragraph 28 of the Framework referred to by the appellant supports sustainable rural tourism, and the way in which development plan policies achieve this will vary between areas. I find the above policies are appropriate in relation to the nature of the district and are therefore broadly consistent with this aim. Consequently I afford them full weight.
5. Policy EC7 seeks to direct new tourism development towards the areas with the capacity to absorb new visitors. In order to achieve this, it sets out a sequential approach for the consideration of proposals for new tourist accommodation. This states that within the countryside proposals for new tourist accommodation will be permitted in accordance with other relevant policies. Of the policies drawn to my attention, I consider that the most

relevant are EC10 Static and Touring Caravan and Camping sites and EC1 Farm Diversification.

6. Although the shepherd huts would have a different external appearance to a typical static caravan, they would share many other characteristics. Indeed, the appellant considers that the shepherd huts fall within the dictionary definition of a caravan and describes the ease with which they could be removed from the appeal site. The proposal relates to the change of use of land for the siting of the 2 shepherd huts and would involve minimal other development. Although the proposal is small scale in nature, Policy EC10 does not contain scale parameters at which it applies. In light of these factors, I consider that assessment against Policy EC10 is appropriate. The proposal does not comply with any of the exceptions of Policy EC10 that allow for development and therefore conflicts with it.
7. Policy EC1 permits for development proposals in the countryside for the purposes of farm diversification, subject to specified criteria. As the proposal relates to the use of land rather than new-build development, the first criterion is relevant. This requires demonstration that the proposal would make an ongoing contribution to sustaining the agricultural enterprise as a whole.
8. Whilst the proposal may provide an additional income stream to the farms owners, there is insufficient evidence before me to demonstrate that this would make an ongoing contribution to sustaining the agricultural enterprise as a whole. I note the range of other activities carried out on the farm and the incidental promotion and development of new products that the proposal may allow. However, these matters are not the subject of this appeal. In light of the above I conclude that the proposal would conflict with Policy EC1.
9. I note interested parties support for the proposal, the sites location outside the Area of Outstanding Natural Beauty, availability of private access to nearby villages from the appeal site and the lack of similar facilities to those proposed in the area. However these matters do not outweigh the unsuitable location of the proposal and the consequent conflict with the development plan and the Framework.
10. By conflicting with Policies EC10 and EC1, the proposal would also conflict with the sequential approach set out within Policy EC7. It would therefore conflict with the aim of the development plan as a whole to direct tourist accommodation to suitable locations. It would also conflict with the Framework insofar as it relates to supporting sustainable rural tourism.

Other matters

11. Interested parties have raised concerns over matters including the effect on heritage assets, flooding, overlooking and ecology. However, given my conclusion there is no need to consider these matters further.

Conclusion

12. For the reasons given above, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR